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15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA

17 Warner Bros. Entertainment Inc.,
18
19 Plaintiff,

20 v.

21 Ken Padgett, an individual and d/b/a
www.unique-dvd.com and Unique DVD,
22 and Does 1 through 10, inclusive,
23 Defendants.

Case No. CV11-3245 SJO (SSx)
CONSENT DECREE AND
PERMANENT INJUNCTION

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25 The Court, having read and considered the Joint Stipulation for Entry of
26 Consent Decree and Permanent Injunction that has been executed by Plaintiff Warner
27 Bros. Entertainment Inc. ("Plaintiff") and Defendant Ken Padgett, an individual and
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d/b/a www.unique-dvd.com and Unique DVD (collectively “Defendants”), in this action, and good cause appearing therefore, hereby:

ORDERS that based on the Parties’ stipulation and only as to Defendant, his successors, heirs, and assignees, this Injunction shall be and is hereby entered in the within action as follows:

1) This Court has jurisdiction over the parties to this action and over the subject matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, and 28 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendant.

2) Plaintiff owns or controls the copyright or pertinent exclusive right to distribute or license the distribution of home video and digital products, including video home cassettes (VHS) as well as optical discs, including, but not limited to, video compact discs (VCDs), digital versatile discs (DVDs) and Blu-ray discs (collectively “Media Products”) incorporating the motion picture or television titles subject to the copyright registrations listed in Exhibit “A” attached hereto and incorporated herein by this reference (collectively referred to herein as “Plaintiff’s Works”).

3) Plaintiff has alleged that Defendant have made unauthorized uses of Plaintiff’s Works or substantially similar likenesses or colorable imitations thereof.

4) Defendant and his agents, servants, employees, representatives, successor and assigns, and all persons, firms, corporations or other entities in active concert or participation with him who receive actual notice of the Injunction are hereby restrained and permanently enjoined from infringing – directly, contributorily or vicariously – or enabling, facilitating, permitting, assisting, soliciting, encouraging, inducing, authorizing, aiding or abetting, materially contributing to, or persuading anyone to infringe in any manner Plaintiff’s Works, including, but not limited to, the following:

a) Copying, reproducing, downloading, distributing, uploading, linking to, transmitting, or publicly performing, or using trademarks, trade names or

logos in connection with unauthorized Media Products containing any of Plaintiff's Works;

- b) Enabling, facilitating, permitting, assisting, soliciting, encouraging, abetting, or inducing any person or entity to copy, reproduce, download, distribute, upload, link to, transmit, or publicly perform any of Plaintiff's Works; or
- c) Profiting from the unauthorized copying, reproduction, downloading, distribution, uploading, linking to, transmission, or public performance of any of Plaintiff's Works while declining to exercise a right to stop or limit such unauthorized copying, reproduction, downloading, distribution, uploading, linking to, transmission, or public performance of any of Plaintiff's Works.

5) Each side shall bear its own fees and costs of suit.

6) Except as provided herein, all claims alleged in the Complaint are dismissed with prejudice.

7) This Injunction shall be deemed to have been served upon Defendant at the time of its execution by the Court.

8) The Court finds there is no just reason for delay in entering this Injunction and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this Injunction against Defendant.

9) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Injunction.

10) The above-captioned action, shall, upon filing by Plaintiff of the Settlement Agreement, Stipulation for Entry of Judgment and Judgment Pursuant to Stipulation, and requesting entry of judgment against Defendants, be reopened should Defendant default under the terms of the Settlement Agreement.

11) This Court shall retain jurisdiction over Defendants for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the enforcement hereof; the punishment of any violations hereof; and for the possible entry of a further Judgment Pursuant to Stipulation in this action.

DATED: August 24, 2011



Hon. S. James Otero
Judge, United States District Court
for the Central District of California

PRESENTED BY:

J. Andrew Coombs, A Prof. Corp.

By: _____
J. Andrew Coombs
Nicole L. Drey
Attorneys for Plaintiff Warner Bros.
Entertainment Inc.

Law Office of Kent M. Walker

By: _____
Kent M. Walker
Attorney for Defendant Ken Padgett,
an individual and d/b/a www.unique-
dvd.com and Unique DVD

EXHIBIT A
PLAINTIFF'S WORKS

| <u>Title</u> | <u>REGISTRATION NUMBERS</u> |
|---|------------------------------------|
| Tell It to the Marines 1926 | R136526 |
| The Unholy Three (Silent) 1925 | R108452 |
| The Unholy Three (Sound) 1930 | R207062 |
| The Monster 1925 | R106670 |
| While the City Sleeps 1928 | R174358 |
| Where East is East 1929 | R187694 |
| West of Zanzibar 1928 | R176996 |
| Mr. Wu 1927 | R144501 |
| The Road to Mandalay 1926 | R133174 |
| He Who Gets Slapped 1924 | R101329 |
| Mockery 1927 | R156199 |
| A Coy Decoy 1941 | PA 659962 (colorized version) |
| A Hound for Trouble 1951 | R681322 |
| A Jolly Good Furlough 1943 | R498961 |
| A Wild Hare 1940 | R434265 |
| Africa Squeaks 1940 | PA 736-501 (colorized version) |
| Goldilocks and the Jivin Bears 1944 | R528834 |
| Goofy Groceries 1941 | R448143 |
| Green Pastures 1936 Motion Picture | R320081 |
| Hare Ribbin 1944 | R528832 |
| Robinson Crusoe Jr. 1941 | PA 620778 (colorized version) |
| Russian Rhapsody 1944 | R521068 |
| Angel Puss 1944 | R521071 |
| Aviation Vacation 1941 | R453516 |
| Bacall to Arms 1946 | R562342 |
| Blitz Wolf, The 1942 | R468371 |
| Little Ol' Bosko and the Cannibals 1937 | R344948 |
| Little Ol' Bosko in Bagdad 1938 | R352572 |
| Bosko's Picture Show 1933 | R281465 |
| Bugs Bunny Nips the Nips 1944 | R521055 |
| Bunker Hill Bunny 1950 | R656664 |
| Bushy Hare 1950 | R656669 |
| Caballero Droopy 1952 | RE 43-725 |
| Caveman Inki 1950 | R656677 |
| Clean Pastures 1937 | R344115 |
| Coal Black and De Sebben Dwarfs 1943 | R479245 |

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| 1 | Confederate Honey 1940 | R428513 |
| 2 | Confusions of a Nutsy Spy 1943 | PA 659-485 (colorized version) |
| 3 | Daffy Duckaroo 1942 | PA 659-950 (colorized version) |
| 4 | Draftee Daffy 1945 | R533335 |
| 5 | Droopy's Good Deed 1951 | RE 10-224 |
| 6 | Feather in His Hare 1948 | R569649 |
| 7 | Flop Goes the Weasel 1943 | R607178 |
| 8 | Frigid Hare 1950 | R628516 |
| 9 | From Hand to Mouse 1945 | R543342 |
| 10 | Garden Gopher 1950 | R672523 |
| 11 | Herr Meets Hare 1945 | R534615 |
| 12 | Hiawatha's Rabbit Hunt 1941 | R453511 |
| 13 | Hillbilly Hare 1950 | R681354 |
| 14 | His Mouse Friday 1951 | RE10-266 |
| 15 | Horse Hare 1960 | RE 341-378 |
| 16 | Injun Trouble 1969 | PA 736-505 (colorized version) |
| 17 | Inki and the Lion 1941 | R453514 |
| 18 | Inki at the Circus 1947 | R580304 |
| 19 | Island Fling 1947 | R573497 |
| 20 | Isle of Pingo Pongo 1938 | R399880 |
| 21 | Little Lion Hunter 1939 | R414831 |
| 22 | Little Red Riding Rabbit 1944 | R506495 |
| 23 | Magical Maestro 1952 | RE 10-239 |
| 24 | Mississippi Hare 1949 | R629532 |
| 25 | Operation Rabbit 1952 | R681339 |
| 26 | Plane Daffy 1944 | R528833 |
| 27 | September in the Rain 1937 | R369891 |
| 28 | Sioux Me 1939 | R414827 |
| | Southern Fried Rabbit 1953 | RE 48-103 |
| | Sunday Go to Meetin Time 1936 | R330999 |
| | Super Rabbit 1943 | R500668 |
| | Swing Social 1940 | R410577 |
| | Swing Wedding 1937 | R333483 |
| | Swooner Crooner 1944 | R521066 |
| | The Good Egg 1939 | R414832 |
| | The Case of the Stuttering Pig 1937 | PA 733-433 (colorized version) |
| | Tin Pan Alley Cats 1943 | R506494 |
| | Tom Tom Tomcat 1953 | RE 48-106 |
| | Uncle Tom's Bungalow 1937 | R344117 |
| | Uncle Tom's Cabana 1947 | R581040 |
| | Wagon Heels 1945 | R539686 |

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| 1 | Weakly Reporter 1944 | R521059 |
| 2 | What's Cookin Doc 1944 | R506496 |
| 3 | Which is Witch 1949 | R628524 |
| 4 | Wise Quackers 1949 | R623861 |
| 5 | King of the Underworld 1939 | R396026 |
| 6 | It All Came True 1940 | R428508 |
| 7 | Chain Lightning 1950 | R666338 |
| 8 | Men are Such Fools 1938 | R359674 |
| 9 | Two Mrs. Carrolls, The 1947 | R578352 |
| 10 | Great O Malley, The 1937 | R333667 |
| 11 | Battle Circus 1953 | RE43693 |
| 12 | Racket Busters 1938 | R380514 |
| 13 | China Clipper 1936 | R333650 |
| 14 | Swing Your Lady 1938 | R359654 |
| 15 | You Can't Get Away With Murder 1939 | R406270 |
| 16 | Big Shot, The 1942 | R474639 |
| 17 | Conflict 1945 | R538967 |
| 18 | One Fatal Hour 1936 | R320085 |
| 19 | Isle of Fury 1936 | R333649 |
| 20 | Big City Blues 1932 | R242624 |
| 21 | Oklahoma Kid 1939 | R406262 |
| 22 | Sunday Go to Meetin' Time 1936 | R330999 |
| 23 | Clean Pastures 1937 | R344115 |
| 24 | Uncle Tom's Bungalow 1937 | R344417 |
| 25 | The Isle of Pingo Pongo 1938 | R399880 |
| 26 | Coal Black and De Sebben Dwarfs 1943 | R479245 |
| 27 | Tin Pan Alley Cats 1943 | R506494 |
| 28 | Angel Puss 1944 | R521071 |
| | Goldilocks and the Jivin' Bears 1944 | R528834 |
| | Christopher Columbus (1985) on 2 DVDs | PA 260414, PA 260415 |
| | | 1998 24-part mini-series: |
| | | PA922578 |
| | | PA921658 |
| | | PA922577 |
| | | PA921660 |
| | | PA921518 |
| | | PA921521 |
| | | PA921523 |
| | | PA921514 |
| | | PA921522 |
| | | PA921515 |
| | | PA921517 |
| | Cold War Propaganda Films on 2 DVDs 9 (WB holds rights in 1998 mini series entitled "Cold War." | |

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| | PA921519 PA746593 PA746592 PA746600 PA746603 PA746602 PA746857 PA746599 PA746604 PA953153 PA953152 PA953147 PA953154 |
| Dream West 1986 mini series | PA 295983 |
| Lace 1 & 2 (1984/1985) on 3 DVDs | PA 214248, PA 252136 |
| Napoleon and Josephine: A Love Story 1987 miniseries on 3 DVDs | PA 380893 |
| Pearl (1978) miniseries on 2 DVDs | Episode I: PA36469 Episode II: PA36468 Episode III: PA36467 |
| Soldier in the Rain on DVD 1963 | RE 562423 |
| Unholy Three 1925&1930 on one DVDR | 1925: R108452; 1930: R297062 |
| World War III 1982 miniseries on 2 DVDs | PA624026 |